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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/688,501	10/16/2000	Shridhar P. Joshi	47079-00077	3225
30223	7590	06/16/2004		EXAMINER
JENKENS & GILCHRIST, P.C.				RADA, ALEX P
225 WEST WASHINGTON				
SUITE 2600			ART UNIT	PAPER NUMBER
CHICAGO, IL 60606			3714	

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/688,501	JOSHI, SHRIDHAR P.	
	Examiner Alex P. Rada	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 22 March 2004.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 37-62 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 37-62 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

In response to the amendment filed March 22, 2004 in which the applicant cancels claims 1-21 and 35-36, withdrawn claims 22-34, amends claims 37 and 62, and claims 37-62 are pending in this office action.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roseman '984 in view of Goldberg '366.

3. Roseman discloses the following:

Accessing via a remote terminal, a game site on a global computer network (internet) connected to the remote terminal, providing personal identification information to the gaming site, selecting a game of chance for remote play, placing a wager for playing the selected game, and receiving randomly-generated text or graphical outcome data at the remote terminal for the selected game (game server), in which the examiner interprets the selected game to be the game server being a game machine itself on a gaming site having a

plurality of games, and the outcome data being generated by the gaming machine (gaming server) and relayed to the gaming site as recited in claims 37 and 38.

Roseman does not expressly disclose the following:

A communication link between the remote terminal and a gaming site as recited in claims 37.

Goldberg teaches the following:

A communication link between the remote terminal (318) and a gaming site (308) as recited in claims 37. By having a communication link between the remote terminal and a gaming site, one of ordinary skill in the art would allow game players to participate in different casino type games from a secure gaming system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Roseman to include communication link between the remote terminal and a gaming site as taught by Goldberg to allow game players to participate in different casino type games from a secure gaming system.

4. Claims 37-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker '016 in view of Goldberg and Wiltshire '602.

5. Walker discloses the following:

A communication link between the remote terminal and a gaming site, the gaming site in communication with a gaming server for outcome data from gaming machines located at a gaming establishment, selecting a gaming machine, making a wager to play the selected gaming machine, receiving outcome data

including game outcome at the remote terminal resulting from play of the gaming machine (column 2, lines 51-65), generating a payout, a microprocessor, and the memory connected to the microprocessor as recited in claims 37-39, 52, and 62.

The outcome data having information identifying the value of the payout and simulate a display of the game outcome at the remote location (column 5, lines 33-37) as recited in claims 40 and 59.

The outcome data to simulate a display of the game outcome on the remote terminal (column 5, lines 33-37) as recited in claim 41.

The selected gaming machine is a slot machine wherein the outcome data includes reel position (column 5, lines 33-37) as recited in claims 42, 48, 53, and 60.

The selected gaming machine is a video poker machine including a display for displaying a poker hand (column 5, lines 33-37) as recited in claims 43 and 58.

The receiving outcome data includes receiving outcome data from a plurality of gaming machine form remote play (column 6, lines 45-56) as recited in claim 44.

The outcome data includes a gaming machine identifier and gaming machine type (figure 5 and column 6, lines 31-44) as recited in claim 45-46 and 55-56.

The outcome data including receiving player preferences (column 6, lines 8-30) as recited in claims 47 and 57.

A player identifier and transmitting the player identifier for identification of the player (column 6, lines 8-30) as recited in claims 49 and 61.

Walker does not expressly disclose the following:

Communication link between the remote terminal and a gaming site on a global computer network (Internet) and receiving text or graphical outcome data at the remote terminal for the selected game as recited in claims 37-39, 52, and 62.

The game outcome results from the server initiating game play on the selected gaming machine as recited in claim 50.

The outcome results from the manual game play on the selected gaming machine as recited in claim 51.

Receiving information includes receiving information selecting at least two plurality of local gaming machines for remote play as recited in claim 54.

Goldberg teaches the following:

A communication link between the remote terminal (318) and a gaming site (308) as recited in claims 37-39, 52, and 62.

Wiltshire teaches the following:

Receiving text or graphical outcome data at the remote terminal from the selected game (column7, lines 7-45) as recited in claim 37-39, 52, and 62.

The game outcome resulting from the server initiating game play on the selected gaming machine (column 8, lines 42-65) as recited in claim 50

The outcome results from the manual game play on the selected gaming machine, and receiving information includes receiving information selecting at least two plurality of local gaming machines for remote play (column 8, lines 42-65) as recited in claim 51. By having a communication link between the remote terminal and a gaming site on a global computer network (Internet) and receiving

text or graphical outcome data at the remote terminal for the selected game, one of ordinary skill in the art would allow game players to participate in different casino type games from a secure and tamper proof computer gaming system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Walker to include a communication link between the remote terminal and a gaming site on a global computer network and receiving text or graphical outcome data at the remote terminal for the selected game, the game outcome resulting from the server initiating game play on the selected gaming machine, the outcome results from the manual game play on the selected gaming machine, and receiving information includes receiving information selecting at least two plurality of local gaming machines for remote play as taught by Goldberg and Wiltshire to allow game players to participate in different casino type games from a secure and tamper proof computer gaming system

#### *Response to Arguments*

6. Applicant's arguments with respect to claims 37-62 have been considered but are moot in view of the new ground(s) of rejection.

#### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Goldberg '560 and Vuong '552 disclose different types of network type games.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 703-308-7135. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary, Jessica Harrison can be reached on 703-308-2217. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JESSICA HARRISON  
PRIMARY EXAMINER